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| 09/941,045      | 08/28/2001  | J. Smith Doss        | RSW920010041US1     | 5733             |

7590 07/14/2005

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| EXAMINER |
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CORRIELUS, JEAN M

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| ART UNIT | PAPER NUMBER |
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2162

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/941,045

Applicant(s)

DOSS ET AL.

Examiner

Jean M. Corielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14,16-59,61-104 and 106-135 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14,16-59,61-104 and 106-135 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

1. This office action is in response to the amendment filed on April 20, 2005, in which claims 1-14, 16-59, 61-104 and 106-135 are presented for further examination.

#### ***Claim Objections***

2. Claims 2-14, 16-45, 47-104 and 106-135 are objected to because of the following informalities: claim 3 recites "the method according to claim 2, further comprising for each of said plurality of given entities" should read as "the method according to claim 2, wherein each of said plurality of given entities comprising";
3. claim 3 recites "the method according to claim 2, further comprising for each of said plurality of given entities" should read as "the method according to claim 2, wherein each of said plurality of given entities comprising".
4. claim 4 recites "the method according to claim 3, further comprising including, within each said dynamic contact information "the method according to claim 3, wherein each said dynamic contact information including".
5. claim 5 recites "the method according to claim 4, further comprising including within said current telephone status" should read as "the method according to claim 4, wherein said current telephone status including"
6. claim 6 recites "the method according to claim 4, further comprising including within said current telephone status" should read as "the method according to claim 4, wherein said current telephone status including".

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7. claim 7 recites “the method according to claim 3, further comprising including, within each said dynamic contact information” should be read as “the method according to claim 3, wherein each said dynamic contact information including”.

8. claim 8 recites “the method according to claim 3, further comprising including, within each said dynamic contact information” should be read as “the method according to claim 3, wherein each said dynamic contact information including”.

9. claim 9 recites “the method according to claim 8, further comprising including within said wireless-messaging status” should be read “the method according to claim 8, wherein said wireless-messaging status including”.

10. claim 10 recites “the method according to claim 3, further comprising including, within each said dynamic contact information” should be read as “the method according to claim 3, wherein each said dynamic contact information including”.

11. claim 11 recites “the method according to claim 3, further comprising including, within each said dynamic contact information” should be read as “the method according to claim 3, wherein each said dynamic contact information including”.

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12. claim 12 recites “the method according to claim 3, further comprising including, within each said dynamic contact information” should be read as “the method according to claim 3, wherein each said dynamic contact information including”.

13. claim 14 recites “the method according to claim 3, further comprising including, within each said dynamic contact information” should be read as “the method according to claim 3, wherein each said dynamic contact information including”.

14. claim 14 recites “the method according to claim 3, further comprising for each of said plurality of given entities” should read as “the method according to claim 3, wherein each of said plurality of given entities comprising”.

15. Claim 44 recites “the method according to claim 43, further comprising displaying only portions of said” can be read as “the method of claim 43, wherein said displayed dynamic contact information displaying only portions of said”.

16. Claim 45 recites “the method according to claim 43, further comprising displaying information only” can be read as “the method of claim 43, wherein said displayed dynamic contact information displaying information only”.

17. Claims 46-59, 61-104 and 106-135 are objected for fully incorporating the errors of claims 1-14, 16-45 above.

***Claim Rejections - 35 USC § 112***

18. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

19. Claims 1-14, 16-59, 61-104 and 106-135 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

20. Claim 1 recites “establishing a status system” in line 3. It is not clear how one having ordinary skill in the art would establish a status system. However, one can establish a communication with a status system, wherein the status system couples to at least one status server and plurality of client computers. Second, line 6 of claim 1 recites “for which the given client subscribes to automatically update dynamic contact information”. It is unclear as to what the applicant means by “automatically update dynamic contact information”. Dynamically by definition means automatically. How one having ordinary skill in the art would automatically update automatic dynamic contact information”. It is not clear how the applicant define the dynamic contact information. Third, lines 7-8 of claim 1 recites “retrieving a plurality of dynamic contact records for a plurality of entities from one or more systems within the status system, wherein the plurality of subscribed entities is a subset of a plurality of given entities. The claim is presented in the confusing manner. It is hard to determine as whether the plurality of entities and the plurality of given entities are different from the plurality of subscribed entities. Applicants stated “wherein the plurality of subscribed entities is a subset of the a plurality of given entities”. However, without knowing what the applicants meant by entities one having ordinary skill in the can not understand the scope of the claims. It is not clear how one having

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ordinary skill in the art would retrieve a plurality of dynamic contact records from one or more systems within the status system, when the status system only coupled to at least one status server and a plurality of client computer. Applicants need to define the true meaning of status system. Applicants are advised to amend the claims to solve the 112 rejection set forth above.

#### Claim 46

Claim 2, recites “establishing a dynamic contact information service”. It is not clear how one having ordinary skill in the art would establish a dynamic contact information service. However, one can establish a communication with a dynamic contact information service.

Claim 16, recites “in accordance with “who can see me””. This language is vague and indefinite. It is unclear as to what the applicants meant by “who can see me” in the claim. Amendment to claim is necessary.

Claims 19, 21, 23, 24, 27, 29 and 31 recites “client using icons”. It is not clear as to what the applicant refer to using icons. Applicants are advised to amend the claims to define the language ‘client using icons’ mentioned in the claims.

Claim 33 recites “a best current method”. It is not clear to clear having ordinary skill in the art as to what the applicants are refer to best current method. An amendment to the claim is necessary.

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Claims 46-59, 61-104 and 106-135 are rejected for fully incorporating the errors of claims 1-14 and 16-45 above.

***Claim Rejections - 35 USC § 103***

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

23. Claims 1-14, 16-54, 61-104 and 106-141 as best understood by the examiner are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al., (hereinafter "Elliott") US Patent Application Publication No. US 2002/0064149 in view of Morkel US Patent Application Publication No. US 2002/0052921.

As to claim 1, Elliott discloses a system that provides subscribers the ability to establish a personal home page, which provides a vehicle for people to communicate with or schedule meetings with the subscriber (page 109, paragraph 3065). In particular, Elliott discloses the



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claimed “establishing a status system, including at least one status server and at least one client” (page 109, paragraphs [3055]-[3089]; page 110, paragraph [3101]-[3102]); “specifying for each client a second plurality of entities for which the client subscribes to automatic updates of dynamic contact information” (page 112, paragraph [3199]-[3206]); “retrieving dynamic contact records for a plurality of entities from one or more systems within the status system” (page 126, paragraph [3565]; page 132, paragraph [3693]; page 135, paragraph [3714]-[3716]); “providing dynamic contact records to the at least one server” (page 126, paragraph [3565]; page 132, paragraph [3693]; page 135, paragraph [3714]-[3716]). However, Elliott does not explicitly disclose the use of sending, using said at least one status server, each said current dynamic contact record to each said client that has subscribed to updates for the entity whose dynamic contact information is contained in said current dynamic contact record.

On the other hand, Morkel discloses for securing management of contact information. In particular, Morkel discloses the claimed “establishing a status system, including at least one status server and at least one client” (page 1, paragraphs [0009]-[0010]); “sending, using said at least one status server, each said current dynamic contact record to each said client that has subscribed to updates for the entity whose dynamic contact information is contained in said current dynamic contact record” as means for updating contact information so that when a user’s information changes, subscriber list ate automatically updated (page 2, paragraph [0011]; page 3, paragraph [0032]; [0034]-[00385]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited reference. One having ordinary skill in the art would have found it motivated to utilizing the

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current information as disclosed by Morkel to update entity whose contact information is contained in the current contact record of Morkel's fig. 8-10.

As to claims 46 and 91, the limitations of these claims have been noted in the rejection of claim 1 above. Elliott and Morkel disclose substantially the invention as claimed. In addition, Morkel discloses a status server and client (page 1, paragraph [0003]-[0005]).

As to claims 2-14, Elliott and Morkel disclose substantially the invention as claimed. In addition, Elliott discloses the use of establishing the dynamic contact information service that provides dynamic contact records for said plurality of entities (page 126, paragraph [3565]; page 132, paragraph [3693]; page 135, paragraph [3714]-[3716]; page 126, paragraph [3565]; page 132, paragraph [3693]; page 135, paragraph [3714]-[3716]). However, Morkel discloses the use wherein each one of said dynamic contact records being dynamically updated to indicate current contact information for one of said plurality of entities (page 2, paragraph [0011]; page 3, paragraph [0032]; [0034]-[00385]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited reference. One having ordinary skill in the art would have found it motivated to utilizing the current information as disclosed by Morkel to update entity whose contact information is contained in the current contact record of Morkel's fig. 8-10.

As to claims 16-45, Elliott and Morkel disclose substantially the invention as claimed. In addition, Morkel discloses the use of displaying said information including within said display an

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in-person status, in-person status time period, and physical location for each of said second plurality of entities, said physical location being a location where said each of said second plurality of entities can be found (fig. 8-10; page 2, paragraph [0011]; page 3, paragraph [0032]; [0034]-[00385]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited reference. One having ordinary skill in the art would have found it motivated to utilizing the current information as disclosed by Morkel to update entity whose contact information is contained in the current contact record of Morkel's fig. 8-10.

Claims 46-59 and 61-90 are system for performing the method of claims 1-14, and 16-45. They are, therefore, rejected under the same rationale.

Claims 91-104 and 106-141 are computer program product for performing the method of claims 1-14 and 16-45. They are, therefore, rejected under the same rationale.

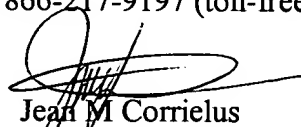
### *Conclusion*

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M Corrielus  
Primary Examiner  
Art Unit 2162

July 8, 2005